

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re

CITY OF DETROIT, MICHIGAN,

Debtor.

No. 13-53846

Chapter 9

HON. STEVEN W. RHODES

**EXHIBIT 38**

**APPELLEE STATE OF MICHIGAN'S DESIGNATION OF  
ITEMS TO BE INCLUDED IN THE RECORD ON APPEAL**

In connection with Notice of Appeal filed by  
William M. Davis and DAREA [Dkt. #8369].

<b>Item</b>	<b>Date Filed</b>	<b>Docket Number</b>	<b>Description</b>
38	7/8/2014	5798	Objection to Chapter 9 Plan filed by Creditor Mark L. Smith

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FILED

2014 JUL -8 P 1:28

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

MARK L. SMITH

Creditors/Objectors,

v

In re:  
City of Detroit, Michigan  
and Emergency Manager  
Kevyn D. Orr

Chapter 9  
Case No. 13-53846  
Judge Steven W. Rhodes

Debtor

**OBJECTIONS TO THE FOURTH AMENDED PLAN FOR THE  
ADJUSTMENT OF DEBTS OF THE CITY OF DETROIT**

1. We/I object to the interest rate of return, the Plan of Adjustment is proposing to change it from 7.9% to 6.75%, which is creating more unfunded liability. This is impartial and discriminatory towards all pensioners, objectors, creditors and other people of interests. They can reduce it gradually.
2. We/I object to the recoupment of interest from annuity accounts; it is illegal and it violates the statute of limitations. Interest being taken back from pensioners, objectors, creditors and other people of interests find it illegal.
3. We/I object to the state withholding and refusing to pay Revenue Sharing Act plus interest to Detroit and other cities; the State has violated the unrestricted revenue sharing act from year 2012 to 2014 by refusing to pay over half billion dollars to pensioners, objectors, creditors and other people of interests.
4. We/I object to the State of Michigan violating the Michigan State Constitution of Article 9, Section 24, which states public pension shall not be diminished or impaired



5. We/I object to the claw back Plan of adjustments that if the plan is rejected, deeper cuts will occur. It is illegal and discriminatory against the pensioners, objectors, creditors and other people of interests, and violates the security and exchange commission.
6. We/I object to use of deceptive practices by recouping funds from federally-funded programs that were not part of the general city funds and had no connections.
7. We /I object to the fourth Plan of the Fourth Amendment of disclosure statement of page 28 states, as explained in the Plan, even if classes 10 and 11 vote to accept the plan, there is a risk that the payments from outside funding may not be made as promised. The plan does not require the city to make up for any missed payments.
8. We/I object to Emergency Manager Kevyn D. Orr for perpetrating a fraud by impersonating an elected official.
9. We/I object to the stated number of miscalculations derived of the recoupment of interest from annuity accounts and trust there to be more than reported. Full exposure and the source of the calculations of such funds must be presented to the pensioners, objectors, creditors and other people of interests. The lack of revealing the composition of the calculation is discriminatory.

NAME: MARK L. SMITH Mark L. Smith

ADDRESS: 1754 CAMPAU FARMS CIRCLE

CITY/STATE/ZIP: DETROIT, MI 48207-5163

DATE: 6-23-2014

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FILED

2014 JUL -8 P 1:28

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

CARL WILLIAMS AND HASSAN ALEEM  
Creditors/Objectors,

v

In re:  
City OF DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
KEVYN D. ORR

Debtor/City of Detroit

Chapter 9  
Case No. 13-53846  
Judge Steven W Rhodes

Case No. 14-cv-10434  
Hon. Bernard A. Freidman  
Magistrate Paul J. Komives

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**PROOF OF SERVICES**

Carl Williams, being first duly sworn deposes and  
your name

Say that on July 8, 2014. I sent a copy of Objection to the Fourth Amended  
Plan of adjustment of Debts of the City of Detroit, Upon the concern parties by  
certified mail at the following address:

City of Detroit  
Corporation Council  
First National Building  
600 Woodward Ave  
Detroit, Michigan 48226

Emergency Manager  
Kenyn Orr  
Coleman A Young Municipal Center  
2 Woodward 11th floor  
Detroit, Michigan 48226

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Cool 31' Williams

Dated July 8, 2014